

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

_____ TEXO ABC/AGC, INC., <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No.: 3:16-CV-1998-L
	)	
THOMAS E. PEREZ, SECRETARY	)	
OF LABOR, UNITED STATES	)	
DEPARTMENT OF LABOR, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**MOTION TO INTERVENE**

Pursuant to Federal Rule of Civil Procedure 24, the American Federation of Labor and Congress of Industrial Organizations (“AFL-CIO”) and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO/CLC (“USW”) (collectively, “Union Intervenors”) hereby move to intervene in the above-captioned case as of right under Fed. R. Civ. P. 24(a)(2) or, in the alternative, by leave of Court pursuant to Fed. R. Civ. P. 24(b). The grounds for this motion to intervene are set forth in the brief filed herewith.

Date: February 27, 2017

Respectfully submitted,

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\*Application for Admission  
*Pro Hac Vice* to be Filed

**CERTIFICATE OF CONFERENCE**

On February 22, 2016 Randy Rabinowitz, counsel for movants, conferred by e-mail with Steven R. McCown, counsel for Plaintiffs, to determine whether Plaintiffs oppose this motion. Mr. McCown advised that he would confer with his clients and respond to Movants, but as of Monday, February 27, Movants have not received a response. Ms. Rabinowitz also conferred with Louise Betts, an attorney at the U.S. Department of Labor, working with Michael Hendry Baer, counsel for Defendants, who advised that Defendants oppose intervention as of right but take no position with respect to permissive intervention.

s/ Randy Rabinowitz  
RANDY RABINOWITZ

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 27th day of February, 2017, the above and foregoing document was served on all counsel of record electronically or by other means authorized by Federal Rule of Civil Procedure 5(b)(2).

s/Sanford R. Denison  
SANFORD R. DENISON